

REMARKS

In the non-final Office Action, the Examiner rejects claims 48, 49, 56, 57, and 59 under 35 U.S.C. § 102(c) as allegedly anticipated by CHRISTIE (U.S. Patent No. 6,430,176); rejects claims 50 and 65 under 35 U.S.C. § 103(a) as allegedly unpatentable over CHRISTIE in view of MacGREGOR et al. (U.S. Patent Application Publication No. 2005/0102382); and rejects claims 60-62 and 64 under 35 U.S.C. § 103(a) as allegedly unpatentable over CHRISTIE in view of RAM et al. (U.S. Patent No. 6,625,258) and MacGREGOR. Applicants respectfully traverse these rejections.

By way of the present amendment, Applicants amend claims 48-50, 56, 57, 59-62, and 64 to improve, cancel claim 65 without prejudice or disclaimer, and add new claims 72-74. No new matter is introduced through the present amendment. Claims 48-50, 56, 57, 59-62, 64, and 72-74 are pending.

Rejection under 35 U.S.C. §102(e) based on CHRISTIE

Claims 48, 49, 56, 57, and 59 stand rejected under 35 U.S.C. § 102(c) as allegedly anticipated by CHRISTIE. Applicants respectfully traverse this rejection.

A proper rejection under 35 U.S.C. § 102 requires that a single reference teach every aspect of the claimed invention, and any feature not directly taught must be inherently present (See, for example, M.P.E.P. § 2131). CHRISTIE does not disclose or suggest the one or more of the features recited in claims 48, 49, 56, 57, and 59.

For example, claim 48 recites a server, comprising a memory to store a look-up table that associates telephone numbers with network addresses; a communication interface to receive a called party telephone number and a calling party telephone number

associated with a connection, in a circuit-switched network, between, respectively, a first circuit-switched device and a second circuit-switched device; and a processor to retrieve, from the look-up table, a first network address, for a first node associated with the called party telephone number, and a second network address, for a second node associated with the calling party telephone number, where the first node differs from the first circuit-switched device and the second node differs from the second circuit-switched device, where the communication interface is further to send a first message to the first node, where the first message comprises the second network address, and send a second message to the second node, where the second message comprises the first network address. CHRISTIE does not disclose or suggest one or more of these features.

CHRISTIE does not disclose or suggest, for example, a processor to retrieve, from a look-up table, a first network address, for a first node associated with a called party telephone number (associated with a connection, in a circuit-switched network, between a first circuit-switched device and a second circuit-switched device), and a second network address, for a second node associated with calling party telephone number (associated with a connection in a circuit-switched network), where the first node differs from the first circuit-switched device and the second node differs from the second circuit-switched device, where a communication interface is to send a first message to the first node, where the first message comprises the second network address, and send a second message to the second node, where the second message comprises the first network address.

With respect to claim 48, as previously presented, the Examiner alleges that CHRISTIE discloses processing logic configured to retrieve a first network address

associated with the called party telephone number and a second network address associated with the calling party telephone number from the look-up table, wherein the communication interface is further configured to send a first message to a first node, associated with the called party number, wherein the first message comprises the second network address, and send a second message to a second node, associated with the calling party number, wherein the second message comprises the first network address, and relies on CHRISTIE at FIGS. 2 and 3 and at col. 5, line 9-col. 7, line 17 for support (Office Action at pages 2 and 3). Without acquiescing in this rejection, Applicants submit that neither these nor other sections of CHRISTIE disclose suggest the above features of claim 48, as amended.

At col. 5, lines 9-39, CHRISTIE discusses FIG. 2 and states:

FIG. 2 shows a diagram of a telecommunications network configured according to the first embodiment of the invention. In reference to User1, telephone 20 is interfaced directly to central office (CO) 24 via a wire connection. Computer 30 is interfaced to the public data network 36 through an Ethernet connection between computer 30 and corporate Intranet 38. Telephone 20 and computer 30 are assumed to be on User1's desk and to be User1's "telecommunications infrastructure." User1 telephone voice communication control is handled using computer telephony integration (CTI) via CTI server 42. CTI server 42 is connected to CO 24 and LAN 38. Internet service provider (ISP) 46 is connected to public data network 36 and LAN 38. Illustrative according to the first embodiment of the invention, the public data network 36 is the Internet.

Still referring to FIG. 2, User2 employs an H.323 terminal device 32 connected to CO 26 and public data network 36 via corporate Intranet 40. Voice-over-internet-protocol (VOIP) Gateway 44 is connected to CO 26 and LAN 40 via frame relay, over T1, T3 or Ethernet, etc. ISP 48 is connected to LAN 40 and to public data network 36. CO 24 and 26 are connected through the PSTN via trunks 50.

Gateway 44 transfers User2 voice data. In summary, VOIP Gateway 44 operates, in part, to launch voice calls over the Internet, initiating a Plain Old Telephone Services (POTS) call through the PSTN using dialed dual tone multi-frequency (DTMF), or utilizing the primary rate interface (PRI)

trunk technology, all being well known in the art. The servers may be "stand-alone" servers, telephony application programming interface (TAPI) enabled phone devices which support similar requests and notifications, or a PSTN switch with built-in server capability.

This section of CHRISTIE discloses, for example, that when integration server 42 receives a request from telephone 20, associated with user1, to contact H.323 terminal device 32 associated with user2, the integration server 42 retrieves an address of computer 30, also associated with user1, and forwards this address, via a PSTN message, to H.323 terminal device 32. Gateway server 44, associated with H.323 terminal device 32, responds with a PSTN message forwarding a computer address for H.323 terminal device 32. Subsequently, a PSTN voice connection is established between telephone 20 and H.323 terminal device 32, and a data connection is established between computer 30 and H.323 terminal device 32.

As an initial observation, without acquiescing in the Examiner's allegation that user2, of CHRISTIE, corresponds to the called party recited in claim 48 (a point that Applicants do not concede), Applicants submit that a single H.323 terminal device 32 could not reasonably correspond to the recited first circuit-switched device and the recited first node device (that differs from the first circuit-switched device) as would be required of CHRISTIE based on the Examiner's interpretation of claim 48.

Moreover, as described above, the above section of CHRISTIE discloses that integration server 42, associated with user1, acquires the network address for computer 30 and that gateway server 44 responds by forwarding the computer address for H.323 terminal device 32. Thus, this section of CHRISTIE discloses that different devices determine the computer addresses for the H.323 terminal device 32 and computer 30. Furthermore, this section of CHRISTIE does not disclose or suggest how gateway server

44 determines a computer address for H.323 terminal device 32. Accordingly, Applicants submit that this section of CHRISTIE does not disclose or suggest a processor to retrieve, from the look-up table, a first network address for H.323 terminal device 32 and a second network address for computer 30, as would be required of CHRISTIE based on the Examiner's interpretation of claim 48.

For at least the foregoing reasons, CHRISTIE at FIG. 2 and col. 5, lines 9-39, does not disclose or suggest a processor to retrieve, from a look-up table, a first network address, for a first node associated with a called party telephone number (associated with a connection, in a circuit-switched network, between a first circuit-switched device and a second circuit-switched device), and a second network address, for a second node a associated with calling party telephone number (associated with a connection in a circuit-switched network), where the first node differs from the first circuit-switched device and the second node differs from the second circuit-switched device, where a communication interface is to send a first message to the first node, where the first message comprises the second network address, and send a second message to the second node, where the second message comprises the first network address, as recited in claim 48, as amended.

At col. 5, line 40-col. 7, line 17, CHRISTIE discusses FIG. 3 and discloses, for example, that integration server 42 receives notification 102 that user1 has dialed, via telephone 20, H.323 terminal device 32 associated with user2, and the integration server 42 forwards, to gateway server 44 associated with H.323 terminal device 32, an initiation message 106 that contains the telephone number 100 for telephone 20 and computer address (104) for computer 30. When H.323 terminal device 32 accepts the connection through connect message 128, gateway server 44 adds a computer address for H.323

terminal device 32 to form an answer message 130. PSTN voice session 133 (between telephone 20 and H.323 terminal device 32) and data session 134 (between computer 30 and H.323 terminal device 32) are established based on the exchanged messages

As an initial observation, without acquiescing in the Examiner's allegation that user2, of CHRISTIE, corresponds to the called party recited in claim 48 (a point that Applicants do not concede), Applicants submit that a single H.323 terminal device 32 could not reasonably correspond to the recited first circuit-switched device and the recited first node device (that differs from the first circuit-switched device) as would be required of CHRISTIE based on the Examiner's interpretation of claim 48.

Moreover, as described above, this section of CHRISTIE discloses that integration server 42, associated with user1, acquires the network address for computer 30 and that gateway server 44 responds by forwarding the computer address for H.323 terminal device 32. Thus, this section of CHRISTIE discloses that different devices determine the computer addresses for the H.323 terminal device 32 and computer 30. Accordingly, Applicants submit that this section of CHRISTIE does not disclose or suggest a processor to retrieve, from the look-up table, a first network address for H.323 terminal device 32 and a second network address for computer 30, as would be required of CHRISTIE based on the Examiner's interpretation of claim 48, as previously presented.

For at least these reasons, CHRISTIE, at FIG. 3 and col. 5, line 40-col. 7, line 17, of CHRISTIE, does not disclose or suggest a processor to retrieve, from a look-up table, a first network address, for a first node associated with a called party telephone number (associated with a connection, in a circuit-switched network, between a first circuit-

switched device and a second circuit-switched device), and a second network address, for a second node a associated with calling party telephone number (associated with a connection in a circuit-switched network), where the first node differs from the first circuit-switched device and the second node differs from the second circuit-switched device, where a communication interface is to send a first message to the first node, where the first message comprises the second network address, and send a second message to the second node, where the second message comprises the first network address, as recited in claim 48, as amended.

For at least the foregoing reasons, claim 48 is not anticipated by CHRISTIE. Claim 49 depends from claim 48 and is, therefore, not anticipated by CHRISTIE for at least the reasons presented above with respect to claim 48.

Independent claim 56, as amended, recites features similar to, yet potentially different in scope from the above-identified features of claim 48. Claim 56 is, therefore, not anticipated by CHRISTIE for at least reasons similar to the reasons presented above with respect to claim 48. Claim 57 and 59 depend from claim 56 and are, therefore, not anticipated by CHRISTIE for at least the reasons presented above with respect to claim 56.

Reconsideration and withdrawal of the rejection of claims 48, 49, 56, 57, and 59 are, therefore, respectfully requested.

***Rejection under 35 U.S.C. §103(a) based on
CHRISTIE and MacGREGOR et al.***

Pending claim 50 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over CHRISTIE in view of MacGREGOR et al. Applicants respectfully traverse this rejection.

Claim 50 depends from claim 48. Without acquiescing in this rejection, Applicants submit that the disclosure in MacGREGOR et al. does not cure the above-described deficiencies in the disclosure of CHRISTIE with respect to claim 48. Claim 50 is, therefore, patentable over CHRISTIE and MacGREGOR et al., whether taken alone or in any reasonable combination, for at least the reasons presented above with respect to claim 48.

Reconsideration and withdrawal of the rejection of claim 50 are, therefore, respectfully requested.

***Rejection under 35 U.S.C. §103(a) based on
CHRISTIE, RAM, and MacGREGOR et al.***

Claims 60-62 and 64 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over CHRISTIE in view of RAM, and further in view of MacGREGOR et al. Applicants respectfully traverse this rejection.

Independent claim 60, as amended, recites features similar to, yet potentially different in scope from the above-identified features of claim 48. Without acquiescing in this rejection, Applicants further submit that the disclosures of RAM and MacGREGOR et al. do not cure the above described deficiencies in the disclosure of CHRISTIE. Claim 60 is, therefore, patentable over CHRISTIE, RAM, and MacGREGOR et al., whether

taken alone or in any reasonable combination for at least reasons similar to the reasons presented above with respect to claim 48. Claim 61, 62, and 64 depend from claim 60 and are, therefore, patentable over CHRISTIE, RAM, and MacGREGOR et al. whether taken alone or in any reasonable combination, for at least the reasons presented above with respect to claim 60.

Reconsideration and withdrawal of the rejection of claims 60-62 and 64 are, therefore, respectfully requested.

New Claims

New claims 72-74 depend, respectively from claims 48, 56, and 60 and are, therefore, allowable over the references applied in the Office Action for at least the reasons presented above with respect to claims 48, 56, and 60.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone to expedite prosecution of the present application.

As Applicants' remarks with respect to the Examiner's rejections overcome the rejections, Applicants' silence as to certain assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., that a reference constitutes prior art, reasons to modify a reference and/or combine references, assertions as to dependent claims and/or official notice, etc.) is not a concession by Applicants that such assertions are accurate or that such requirements have been met, and Applicants reserve the right to dispute these assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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